



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Conduct a Public Hearing to review and adopt revised Community Development Department fees

**MEETING DATE:** May 4, 2005

**PREPARED BY:** Community Improvement Manager

**RECOMMENDED ACTION:** That the City Council conduct a Public Hearing in order to review and adopt revised fees for the Community Development Department.

**BACKGROUND INFORMATION:** The Community Development Department charges fees to cover the costs of providing specific services related to planning, construction, and code enforcement. Historically, these fees were based on the cost to provide the service and surveys of adjacent communities. For construction related activities, the fees are based on the Building Code tables adopted by most cities in the State.

For this coming fiscal year's budget, the City is looking to move the Community Development Department into a Special Revenue Fund. This would be similar to an Enterprise Fund where revenues and expenditures are more closely related as staff has described to the Council over the past several months. The department's divisions can be broken down into two service categories. General Fund related activities that are for the benefit of the community as a whole and direct revenue, or fee based, activities that are specific to an application. For General Fund related services, a transfer will be made to the department to cover these costs. For all other activities, fees must cover the anticipated expenditures. For each division in the department we have analyzed the fee based need and would recommend adjustments as noted below:

## Planning Division

The Planning Division is approximately seventy percent (70%) fee based. For this coming year, that equates to \$349,780. This represents the costs of the division personnel plus the "fully loaded" costs for city-wide overhead (vehicle maintenance, building maintenance, telephone, etc...) and internal services (Finance, City Attorney, ISD, etc...)

In order to recuperate these costs, the planning related fees need to rise. The Planning Division staff carries out two recoverable functions; seventeen (17) different planning applications and Plan Check. In order to set fees appropriately, we have analyzed the time it takes to process typical applications and compared that against the fees charged in the neighboring communities. The fees recommended should provide for the needed revenue while staying competitive in the market. The attached table outlines those fees.

APPROVED:

Blair King, City Manager

## **Building and Safety Division**

The Building and Safety Division is mostly funded from fees paid for services. Our estimates suggest ninety percent (90%) of the function is fee based. The anticipated revenues required to run the division next year are \$1,080,000. Again, this is the "fully loaded" cost.

In the Building Division we are expecting revenues that exceed the anticipated expenditures by a margin of \$220,000. Based on this, we are recommending a change in the way projects are valued for fee purposes.

The Uniform Building Code, Table 1-A, bases the building permit fee on valuation. When the International Conference of Building Officials merged with the other model code organizations, the method of calculating valuation and the costs per square foot changed. The new valuation data lowered the cost per square foot of a single family home. This translates into a reduction of the permit fee. Commercial project valuations and fees will be unchanged.

This change in valuation is expected to decrease revenues by \$100,000 and be more in keeping with expenditures including a reasonable fund balance.

## **Community Improvement Division**

The Community Improvement Division is mostly General Fund based. We believe approximately thirty percent (30%) of the staff's time is spent on recoverable costs. The only change we are recommending for the coming fiscal year is to raise the Code Compliance Permit fee from \$40.00 per hour to \$100 per hour. The change is based on the difference between our older rate and the new fully loaded rate for staff time. This is a fee that is assessed on building permits for repairs required per the issuance of a Notice and Order through the Community Improvement Division and is meant to recover the costs related to the routine permit inspections required in order to bring the dwelling or structure into compliance.

This fee does not address the issue of a building or structure not being brought into compliance. Non-Compliance Fees are already established through an adopted Fee Schedule. The amount of those Non-Compliance Fees, \$100 for the first and \$300 for the second and any subsequent assessments until compliance is obtained, are believed to be appropriate considering the cost of providing the service and are not being revised at this time.

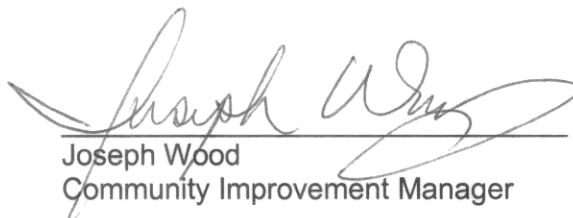
We are, however, currently working with the City Attorney's Office to establish a new enforcement tool in the administrative citation and administrative hearing process, which will allow code enforcement personnel the ability to "cite" an individual and have fines or civil penalties assessed through an independent hearing process. This is a tool that will also be valuable to the Public Works Department for encroachment violations, the Finance Department for business license violations, and Lodi Police Department-Partners for certain vehicle-related violations. Staff is prepared to bring this back to Council in the next 2 months for a presentation and subsequent adoption.

<b>FISCAL IMPACT:</b>	Current:	It is staff's intent to have these fee changes take effect on July 1, 2005, therefore, no impact to the 2004/05 Budget.
	Future:	
	Planning Division:	\$175,000 increase in revenue.
	Building Division:	\$100,000 decrease in revenue.
	Comm. Imp. Division:	\$4,500-\$7,000 increase in revenue.

**FUNDING AVAILABLE:**

Funding will be available through the Special Revenue Fund established for the Community Development Department. Projected revenues and actual costs will be monitored closely throughout this first year to insure that there has been an adequate division between General Fund and Special Revenue Fund activities.

  
James R. Krueger, Finance Director

  
Joseph Wood  
Community Improvement Manager

Attachment

# FEE STUDY: City of Lodi, Planning Division.

Community Development Fee Schedule			Recommended
	Lodi	AVERAGE	Fee
Administrative Deviation	\$200	\$995	\$350
Annexation	\$3,000	\$4,329	\$4,000
Appeals	\$250	\$323	\$300
Development Plan Review	\$1,650	\$2,524	\$2,500
Environmental Impact Report	\$2,200	\$3,728	Hourly
General Plan Amendment	\$1,000	\$3,272	\$3,000
Home Occupation	\$25	\$177	\$100
Landscape Review	\$175		\$175
Live Entertainment Permit	\$200		\$200
Lot Line Adjustment	\$175	\$665	\$650
Negative Declaration	\$650	\$896	\$900
Preliminary Environmental Assessment	\$50	\$258	\$250
Rezone	\$1,000	\$2,389	\$2,000
Site Plan and Architectural Review	\$875	\$1,878	\$1,875
Tentative Parcel Map	\$750	\$2,468	\$2,500
Tentative Subdivision Map	\$1,000	\$4,687	\$4,600
Use Permit	\$1,000	\$2,211	\$2,000
Variance	\$500	\$1,125	\$1,000
Zoning Plan Check (Commercial/Industrial)	\$50	\$276	\$350
Zoning Plan Check (Residential)	\$50	\$276	\$100
Zoning Plan Check (Addition/Accessory)	\$50		\$50
Code Complaint Received	\$0	n/a	\$0
First Field Inspection	\$0	n/a	\$0
Administrative Processing	\$0	n/a	\$0
Code Compliance Permit Fee	\$40/hr	n/a	\$100/hr
2nd Non-Compliance Inspection	\$100	n/a	\$100
3rd Non-Compliance Inspection	\$300	n/a	\$300

RESOLUTION NO. 2005-94

A RESOLUTION OF THE LODI CITY COUNCIL  
APPROVING FEE INCREASES AND ESTABLISHING  
NEW FEES FOR VARIOUS CITY SERVICES AND  
PROGRAMS CURRENTLY OFFERED BY THE  
COMMUNITY DEVELOPMENT DEPARTMENT

=====

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. WHEREAS, the Lodi Municipal Code requires the City Council, by Resolution, to set fees for various services provided by the City of Lodi to recover those costs associated with providing specific services and programs; and

WHEREAS, staff recommends increasing and establishing certain fees for the Community Development Department as shown on the attached schedule marked Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi does hereby implement the fee schedule as attached hereto and made a part of this Resolution.

SECTION 2. All resolutions or parts of resolutions in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This resolution shall be published one time in the Lodi News Sentinel, a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect July 1, 2005.

Dated: May 4, 2005

=====

I hereby certify that Resolution No. 2005-94 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 4, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and  
Mayor Beckman

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk

**EXHIBIT A**

<b>Community Development Fee Schedule</b>		<b>Fee Amount</b>
<b>Administrative Deviation</b>		<b>\$350</b>
<b>Annexation</b>		<b>\$4,000</b>
<b>Appeals</b>		<b>\$300</b>
<b>Development Plan Review</b>		<b>\$2,500</b>
<b>Environmental Impact Report</b>		<b>Hourly</b>
<b>General Plan Amendment</b>		<b>\$3,000</b>
<b>Home Occupation</b>		<b>\$100</b>
<b>Landscape Review</b>		<b>\$175</b>
<b>Live Entertainment Permit</b>		<b>\$200</b>
<b>Lot Line Adjustment</b>		<b>\$650</b>
<b>Negative Declaration</b>		<b>\$900</b>
<b>Preliminary Environmental Assessment</b>		<b>\$250</b>
<b>Rezone</b>		<b>\$2,000</b>
<b>Site Plan and Architectural Review</b>		<b>\$1,875</b>
<b>Tentative Parcel Map</b>		<b>\$2,500</b>
<b>Tentative Subdivision Map</b>		<b>\$4,600</b>
<b>Use Permit</b>		<b>\$2,000</b>
<b>Variance</b>		<b>\$1,000</b>
<b>Zoning Plan Check (Commercial/Industrial)</b>		<b>\$350</b>
<b>Zoning Plan Check (Residential)</b>		<b>\$100</b>
<b>Zoning Plan Check (Addition/Accessory)</b>		<b>\$50</b>
<b>Code Complaint Received</b>		<b>\$0</b>
<b>First Field Inspection</b>		<b>\$0</b>
<b>Administrative Processing</b>		<b>\$0</b>
<b>Code Compliance Permit Fee</b>		<b>\$100/hr</b>
<b>2nd Non-Compliance Inspection</b>		<b>\$100</b>
<b>3rd Non-Compliance Inspection</b>		<b>\$300</b>

**NOTICE OF PUBLIC HEARING**  
NOTICE IS HEREBY GIVEN that on Wednesday, May 4, 2005, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider and approve the following matter:

a) review and adopt revised Community Development Department fees.

Information regarding this item (as required by Government Code Section 66016) is available and may be obtained in the office of the Community Development Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:  
Susan J. Blackston  
City Clerk

Dated: April 20, 2005

Approved as to form:  
D. Stephen Schwabauer  
City Attorney  
April 23, 30, 2005 — 08501731



***Please immediately confirm receipt  
of this fax by calling 333-6702***

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT:** SET PUBLIC HEARING FOR MAY 4, 2005, TO REVIEW AND ADOPT REVISED  
COMMUNITY DEVELOPMENT DEPARTMENT FEES

**LEGAL AD**


**PUBLISH DATE:** SATURDAY, APRIL 23, 2005 AND  
SATURDAY, APRIL 30, 2005

**TEAR SHEETS WANTED:** Three (3) please

**SEND AFFIDAVIT AND BILL TO:** SUSAN BLACKSTON, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** THURSDAY, APRIL 21, 2005

**ORDERED BY:**

  
KARI J. CHADWICK  
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

**SEND PROOF OF ADVERTISEMENT. THANK YOU!!**

LNS Faxed to the Sentinel at 369-1084 at 11:20am (time) on 4/21/05 (date) 2 (pages)  
Diane Phoned to confirm receipt of all pages at 11:40 (time) Jac JKC Jen (initials)





## **DECLARATION OF POSTING**

### **SET PUBLIC HEARING FOR MAY 4, 2005, TO REVIEW AND ADOPT REVISED COMMUNITY DEVELOPMENT DEPARTMENT FEES**

On Friday, April 22, 2005, in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to review and adopt revised Community Development Department fees, (attached hereto, marked Exhibit "A"), was posted at the following four locations:

Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.


Executed on April 22, 2005, at Lodi, California

ORDERED BY:

**SUSAN J. BLACKSTON**  
**CITY CLERK**

---

Jacqueline L. Taylor, CMC  
Deputy City Clerk

  
Kari J. Chadwick  
Administrative Clerk

---

Jennifer M. Perrin, CMC  
Deputy City Clerk



**CITY OF LODI**  
**Carnegie Forum**  
**305 West Pine Street, Lodi**

**NOTICE OF PUBLIC HEARING**

**Date: May 4, 2005**

**Time: 7:00 p.m.**

For information regarding this notice please contact:

**Susan J. Blackston**  
**City Clerk**  
**Telephone: (209) 333-6702**

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By Order of the Lodi City Council:

A handwritten signature in black ink, appearing to read "Susan J. Blackston".

Susan J. Blackston  
City Clerk

**Dated: April 20, 2005**

Approved as to form:

A handwritten signature in black ink, appearing to read "D. Stephen Schwabauer".

D. Stephen Schwabauer  
City Attorney

PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which is annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

May 11th

in the year 2005.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Witness my hand and seal at Lodi, California, this 11th day of May, 2005

*Diane Rosales*

Signature

RECEIVED

This space is for the County Clerk's Filing Stamp  
2005 JUN 13 AM 8:37

CITY CLERK  
CITY OF LODI

Proof of Publication of  
Resolution No. 2005-94  
A Resolution of the Lodi City Council Approving Fee  
Increases and Establishing New Fees for Various City  
Services and Programs Currently Offered by the  
Community Development Department

RESOLUTION NO. 2005-94

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING FEE  
INCREASES AND ESTABLISHING NEW FEES FOR VARIOUS CITY  
SERVICES AND PROGRAMS CURRENTLY OFFERED BY THE  
COMMUNITY DEVELOPMENT DEPARTMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LODI  
AS FOLLOWS:

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NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi does hereby implement the fee schedule as attached hereto and made a part of this Resolution.

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Dated: May 4, 2005

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AYES: COUNCIL MEMBERS - Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None

SUSAN J. BLACKSTON  
City Clerk

EXHIBIT A

Community Development Fee Schedule	Fee Amount
Administrative Deviation	\$350
Annexation	\$4,000
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Development Plan Review	\$2,500
Environmental Impact Report	Hourly
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Tentative Subdivision Map	\$4,600
Use Permit	\$2,000
Variance	\$1,000
Zoning Plan Check (Commercial/Industrial)	\$250



***Please immediately confirm receipt  
of this fax by calling 333-6702***

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT:** RESOLUTION APPROVING FEE INCREASES AND ESTABLISHING NEW FEES FOR  
VARIOUS CITY SERVICES AND PROGRAMS CURRENTLY OFFERED BY THE  
COMMUNITY DEVELOPMENT DEPARTMENT

**LEGAL AD**

**PUBLISH DATE:** WEDNESDAY, MAY 11, 2005

**TEAR SHEETS WANTED:** Three (3) please

**SEND AFFIDAVIT AND BILL TO:** SUSAN BLACKSTON, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** THURSDAY, MAY 5, 2005

**ORDERED BY:**

KARI J. CHADWICK  
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

  
JENNIFER M. PERRIN, CMC  
DEPUTY CITY CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

PLEASE →

**SEND PROOF OF ADVERTISEMENT. THANK YOU!!**

LNS	Faxed to the Sentinel at 369-1084 at <u>2:25p</u> (time) on <u>5/5/05</u> (date) <u>3</u> (pages)
	Phoned to confirm receipt of all pages at _____ (time) _____ Jac _____ KJC _____ Jen (initials)

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ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk

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<b>2nd Non-Compliance Inspection</b>		\$100
<b>3rd Non-Compliance Inspection</b>		\$300